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On _____

By _____

Michelle Nicely

PATENT

Attorney Docket No.: A-2-6

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OFFICE OF PETITIONS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Philip E. Eggers et al.

Application No.: 09/314,247

Filed: May 18, 1999

For: **SYSTEM FOR TREATING ARTICULAR
CARTILAGE DEFECTS**

Mail Petition Stop

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Examiner: Lee Cohen

Art Unit: 3739

**PETITION TO WITHDRAW
APPLICATION FROM ISSUE UNDER
37 CFR §1.313(c)**

Applicant hereby petitions to withdraw the above referenced application from issue under 37 CFR 1.313(c). Applicant makes this petition for the reason of considering the request for continued examination mailed on May 3, 2005 (copy attached). Should any fee be deemed necessary for acceptance of this petition or in connection with this application, the Commissioner is authorized to charge (or to credit as the case may be) Applicant's deposit account no. 50-0359. If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at the below listed number.

Respectfully submitted,



Richard R. Batt

Reg. No. 43,485

ArthroCare Corporation

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05/09/2006 CKHLOK 00000015 500359 09314247

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PTO FAX NO.: 1 (571) 273-0025

Attorney Docket No., A-2-6

Customer No: 021394

Application No.: 09/314,247

Deposit Account No.: 50-0359

CERTIFICATION OF FACSIMILE TRANSMISSION

In connection with U.S. Patent Application of **Philip E. Eggers, et al.**, Application No. **09/314,247** hereby certify that the following **Petition to Withdraw Application from Issue under 37 CFR §1.313(c)**, is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Number of pages being transmitted, including this page: 4

Dated: May 4, 2006

A handwritten signature in black ink, appearing to read "Michelle Nicely", is written over a horizontal line.
Michelle Nicely

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PTO/SB/21 (09-04)

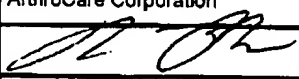
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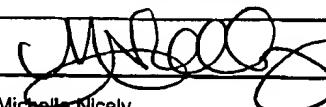
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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/314,247	OFFICE OF PETITIONS
	Filing Date	May 18, 1999	
	First Named Inventor	Phillip E. Eggers	
	Art Unit	3739	
	Examiner Name	Lee Cohen	
Total Number of Pages in This Submission		Attorney Docket Number	A-2-6

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks Petition to Withdraw Application from Issue under 37 CFR 1.313(c) Commissioner is hereby authorized to charge Applicant's deposit account (50-0359) with the proper fee in connection with this Petition.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	ArthroCare Corporation		
Signature			
Printed name	Richard R. Batt		
Date	May 4, 2006	Reg. No.	43,485

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature			
Typed or printed name	Michelle Nicely	Date	May 4, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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